



**THE CITY OF NEW YORK  
LAW DEPARTMENT**

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USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 8/18/2021

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July 19, 2021

**By ECF**

Hon. Mary Kay Vyskocil  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: *Michael Jones v. Jane Doe et al.*, 21-CV-02145 (MKV)(RWL)

Dear Judge Vyskocil:

I am the Assistant Corporation Counsel assigned to the defense of the above captioned matter. I write to request an additional 30 days to respond to the Court's May 19, 2021 Order pursuant to *Valentin v. Dinkins*, 121 F.3d 72 (2d Cir. 1997) (*see* Dkt No. 9), from July 19, 2021 to August 19, 2021.

By way of background, the Court ordered the Law Department to identify the John and Jane Does responsible for allegedly confiscating Plaintiff's hearing aid and denying him access to medical treatment during his incarceration at New York City Department of Correction's West Facility. In light of the significant number of correction officers assigned to the West Facility during Plaintiff's incarceration at that facility (i.e., from March 13 to May 2, 2018), and the absence of any dates – or approximate dates – on which these alleged acts took place, I have been unable to identify any potential John or Jane Doe defendants. As such, by letter dated June 3, 2021, I wrote to Plaintiff requesting additional information concerning his allegations. I requested information related to the defendants' physical appearance and the dates on which the alleged violations took place. Plaintiff responded by letter post-marked June 24, 2021 with some information regarding their appearance. The information was, however, insufficiently detailed to allow me to identify the defendants (i.e., a tall black male in his 40s, and a blonde woman, possibly Italian, who "could be a Kardashian").

As a result, on July 7, 2021, I wrote to Plaintiff and again and, this time, produced several documents with the hope that he could review the documents and provide me additional details that would permit me to identify the John and Jane Does. In particular, I produced his movement log, inmate file, infractions list, and a copy of his New York City Health + Hospitals / Correctional Health Services (CHS) medical record. With the benefit of this information, I am

hopeful that Plaintiff may be able to identify, at a minimum, the dates of the alleged violations which would, in turn, help me identify the defendants. Without additional information I am unable to identify the John and Jane Does because, contrary to the allegations in the Complaint, my review of Plaintiff's medical record shows that he had ongoing access to medical care, including mental health treatment. Additionally, there is no notation in his medical record where Plaintiff reports that his hearing aid was confiscated or that he needed a replacement.

Accordingly, Defendant respectfully requests a 30-day extension of time to comply with the Valentin Order, from July 19 to August 19, 2021. By this date I hope to have received additional information from Plaintiff that will permit me to identify the John and Jane Does.

Respectfully submitted,

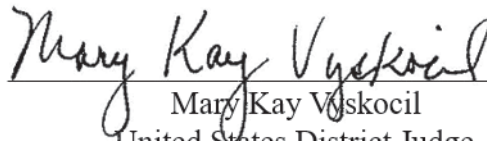
s/  
Carolyn Kruk  
Assistant Corporation Counsel

cc. Michael J. Jones, Jr., 18-A-1781  
Wende Correctional Facility  
Wende Rd, P.O. Box 1187  
Alden, NY 14004

**GRANTED. Counsel is further admonished to familiarize herself with the Court's Individual Practices, which require motions for an extension of any deadline to be filed at least 72 hours in advance of the deadline in question. Further noncompliance may result in sanctions, denial of the request, or both.**

**The Clerk of Court respectfully is requested to mail a copy of this order to Plaintiff.**

Date: 8/18/2021  
New York, New York

  
Mary Kay Vyskocil  
United States District Judge